February 24, 2021

Dear Representative:

ACLU Urges YES Vote on H.R. 5, the Equality Act

As the House prepares to vote on H.R. 5, the Equality Act, the American Civil Liberties Union (ACLU) strongly urges you to vote YES on this landmark civil rights legislation. The ACLU will score the vote on final passage.

The Equality Act is grounded in the bedrock principle that all people in this country should be able to fully participate in public life and not be judged based on characteristics like sexual orientation or gender identity. Everyone deserves a fair chance to support themselves, provide for their family, and live as their true selves free from the fear of harassment or discrimination. The harsh reality – despite increasingly widespread support among the public and representation in popular culture – is that discrimination remains a persistent problem for LGBTQ people across the country. From discrimination and harassment of transgender youth in our nation’s schools to older same-sex couples denied housing in retirement communities because of their sexual orientation, this is something that LGBTQ people confront throughout their lives and in every corner of the country.

This is why the Equality Act is so critically important. It would provide LGBTQ people with consistent, explicit, and nationwide nondiscrimination protections across all of the key areas of daily life, including employment, housing, and access to public spaces and services. Importantly, the Equality Act would codify last year’s 6-3 ruling from the Supreme Court in Bostock v. Clayton County, Georgia, which held – in an opinion written by Justice Gorsuch – that workplace discrimination against LGBTQ people is a violation of federal laws prohibiting sex discrimination in employment.

In addition to providing LGBTQ people with explicit, comprehensive protection against discrimination, the Equality Act would also update our federal civil rights laws to address modern forms of discrimination, including against all women and people of color. It would do this in several ways including:
- updating and modernizing the scope of public spaces and services covered in current law to provide protection from discrimination by retail stores, services such as banks and accountants, and transportation providers, such as airlines, taxis, trains, and buses; and
- expanding protections from sex discrimination in public spaces and services and in taxpayer-funded programs.

Under the Equality Act, for the first time under federal law, it would be illegal to discriminate against individuals for “shopping while Black” or “flying while Brown.” In addition, with the significant expansion in sex discrimination protections, it would become illegal under federal law to sexually harass anyone while shopping or on transportation. The routine practice of mechanics charging women more than men for the same car services would also be illegal under federal law.

The need for explicit, comprehensive protections for LGBTQ people, as well as the need to update our federal civil rights laws to address modern forms of discrimination could not be clearer. The ACLU urges a YES vote on H.R. 5, the Equality Act.

Please reach out to Ian Thompson, ACLU Senior Legislative Representative, with any questions at (202) 715-0837 or ithompson@aclu.org.

Sincerely,

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